

PATENT

Atty. Dkt. No. ATT-029PUS (ATT/2000-0575A)

REMARKS

In view of the above amendment and the following discussion, the Applicants submit that none of the claims now pending in the application is anticipated or made obvious under the provisions of 35 U.S.C. § 102 and § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIM 1-17 AND 20-26 UNDER JUDICIALLY CREATED DOCTRINE OF DOUBLE PATENTING

Claims 1-17 and 20-26 have been canceled without prejudice. Thus, the present rejection is now moot. However, the Applicants reserve the rights to file one or more continuation applications to continue prosecution of these canceled claims.

II. REJECTION OF CLAIM 1, 2 AND 9 UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1, 2, and 9 in the Office Action under 35 U.S.C. § 102 as being anticipated by Tomioka et al. (US Patent 5,452,115A). Claims 1, 2, and 9 have been canceled without prejudice. The rejection is now moot. However, Applicants reserve the rights to file one or more continuation applications to continue prosecution of these canceled claims.

III. REJECTION OF CLAIMS 3-8, 10-17 AND 20-26 UNDER 35 U.S.C. § 103

The Examiner has rejected claims 3-8, 10-17, and 20-26 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Tomioka et al. (US Patent 5,452,115A) and as being unpatentable over Tomioka et al. (US Patent 5,452,115A) in view of Fatehi et al. (US Patent 6,535,313).

Claims 3-8, 10-17, and 20-26 have been canceled without prejudice. The rejection is now moot. However, Applicants reserve the rights to file one or more continuation applications to continue prosecution of these canceled claims.

PATENT

Atty. Dkt. No. ATT-029PUS (ATT/2000-0575A)

IV. ALLOWABLE SUBJECT MATTER

The Examiner objected to claims 18 and 19 for depending upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have amended claim 18 into independent claim form. Applicants submit that claims 18 and 19 are now in allowable form.

Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §102 and §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

9/30/04



Kin-Wah Tong, Attorney
Reg. No. 39,400
(732) 530-9404

Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Shrewsbury, New Jersey 07702

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☐ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.